



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADDRESS ALL CORRESPONDENCE TO:
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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

36 August 4, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

August 04, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT EMERALD NECKLACE BIKE TRAIL IN THE CITY OF IRWINDALE (SUPERVISORIAL DISTRICT 1) (3 VOTES)

SUBJECT

This action is to approve and advertise the Emerald Necklace Bike Trail project in the City of Irwindale, find the project categorically exempt from the provisions of the California Environmental Quality Act, adopt the plans and specifications, authorize the Director of Public Works or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid, deliver the project, and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD:

1. Find this project categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Emerald Necklace Bike Trail, at an estimated construction contract cost between \$330,000 and \$455,000.
3. Instruct the Acting Executive Officer of the Board of Supervisors to advertise bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, and which are to be received before 11 a.m. on September 1, 2015, in accordance with the Notice Inviting Bids.

4. Authorize the Director of Public Works or her designee to determine whether the bid of the apparent responsible contractor with the lowest apparent responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest responsive bid.
5. Authorize the Director of Public Works or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid within the estimated cost range and deliver the project.
6. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board to approve and advertise the project, adopt the plans and specifications, authorize the Director of Public Works or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid, deliver the project, and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

The Federal Highway Administration and the California Department of Transportation obligated funds for this project on May 7, 2015. Therefore, this project must be awarded by November 9, 2015. Caltrans requires award within six months of the date of obligation.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to meet the funding deadline. Per funding requirements, the first construction invoice must be submitted and approved by Caltrans within one year of the obligation date. The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved bikeway facilities for cyclists and pedestrians, which will benefit the City.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$330,000 to \$455,000. The total project cost is estimated to be \$1,060,000. In addition to the construction

contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, environmental clearance, right of-way clearance, materials testing, inspection, contract administration, change order contingency, and other County of Los Angeles services.

A portion of the project cost will be financed with the Federal Congestion Management and Air Quality grant funds received from the Los Angeles County Metropolitan Authority under the 2007 Call for Projects. The remaining cost of the project will be financed with Proposition C Local Return funds.

Funding for this project is included in the First Supervisorial District's Transportation Improvement Program in the Proposition C Local Return Fund Fiscal Year 2015-16 Budget.

The annual maintenance cost of the bikeway improvements is estimated to be \$2,000. Sufficient appropriation will be included in Public Works' annual Transportation Development Act, Article 3 – Bikeway Fund Fiscal Year 2015-16 Budget to finance the ongoing maintenance cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project is part of the Department of Public Works' ongoing program for the construction and maintenance of bike trails. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 15 working days. It is anticipated the work will start in October 2015 and be completed in November 2015.

The award of the contract will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a

recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Sections 15304(h) of the California Environmental Quality Act Guidelines and Class 4(n) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These exemptions provide for the creation of bicycle lanes on existing rights of way.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. An award by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code.

The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for Federal funds financing the majority of this project, Title 49, Code of Federal Regulations requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on both the County's "Doing Business with Us" and Public Works' "Contract Opportunities" websites for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved bikeway facilities for the public thereby benefiting the City.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

The Honorable Board of Supervisors

8/4/2015

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Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly legible.

GAIL FARBER

Director

GF:JTS:lg

c: Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)